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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 PATRICK K. SPURLOCK,

11 Plaintiff,

12 v.

13 IAN A. NORTHRIP *et al.*,

14 Defendants.

CASE NO. C09-5422RBL/JRC

ORDER DENYING ALL
PENDING MOTIONS

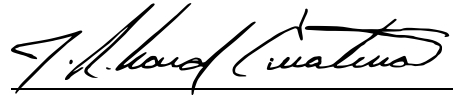
15 This Civil Rights Action filed pursuant to 42 U.S.C. § 1983 has been referred to the
16 undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and
17 Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. This action is closed. Some claims were
18 dismissed with prejudice and some without prejudice (Dkt. # 17 and 18).
19

20 Since termination of this action, plaintiff has filed a notice of appeal and two motions.
21 The motions are: (1) a motion for depositions to “perpetuate testimony;” and (2) a motion for
22 issuance of summons (Dkt. # 26 and 27). These two motions have been referred to this Court.
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24 This Court had original jurisdiction to hear this case pursuant to 28 U.S.C. 1331. After
25 entry of a final order, the Ninth Circuit Court of Appeals has jurisdiction pursuant to 28 U.S.C.
26 1291. The Court declines to consider motions on a case appealed from a final order.
Accordingly, the motions are DENIED.

1 The clerk of court is directed to send plaintiff a copy of this order and remove Dkt. # 26
2 and 27 from the court's calendar.

3 DATED this 18th day of November, 2009.

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6 J. Richard Creatura
7 United States Magistrate Judge
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